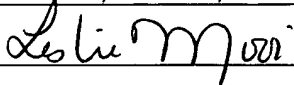
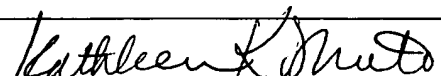


<h1 style="text-align: center;">TRANSMITTAL FORM</h1> <p style="text-align: center;">(to be used for all correspondence after initial filing)</p>		Application Number	10/578,692
		Filing Date	November 10, 2004
		First Named Inventor	Philip J. BARR
		Group/Art Unit	To Be Assigned
		Examiner Name	To Be Assigned
Total Number of Pages in This Submission	4	Attorney Docket Number	39042-0037
ENCLOSURES (check all that apply)			
<input checked="" type="checkbox"/> Transmittal Form <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Response to Office Action <input type="checkbox"/> After Final <input type="checkbox"/> Version With Markings Showing Changes <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 <input type="checkbox"/> Copy of Notice		<input type="checkbox"/> Copy of an Assignment <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, by Assignee to Exclusion of Inventor Under 37 C.F.R. §3.71 With Revocation of Prior Powers <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund	
<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> ADDITIONAL ENCLOSURE(S) (PLEASE IDENTIFY BELOW): <input checked="" type="checkbox"/> Copy of Communication from PCT Legal Administration (1 pg.); Return Postcard			
Remarks AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT 08-1641 FOR ANY FEES DUE IN CONNECTION WITH THIS PAPER, REFERENCING ATTORNEY'S DOCKET NO. 39042-0037.			
SIGNATURE OF APPLICANT, ATTORNEY OR AGENT			
Firm or Individual name	HELLER EHRMAN LLP 275 Middlefield Road, Menlo Park, California 94025 Telephone: (650) 324-7000 Facsimile: (650) 324-0638		
Signature			
Date	December 28, 2006	Customer Number:	25213

CERTIFICATE OF EXPRESS MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated below and addressed to: MAIL STOP: PCT , Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450, on this date: December 28, 2006			
Express Mail Label EV 582 635 179 US			
Typed or printed name	Kathleen K. Muto		
Signature		Date	December 28, 2006

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop ___, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

28 JUN 2006



UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

JUL 05 2006

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Heller Ehrman LLP HELLER EHRMAN
275 Middlefield Road
Menlo Park, CA 94025-3506

In re Application of: NAYAR et al.
U.S. Application No.: 10/578,692
PCT No.: PCT/GB04/04740
International Filing Date: 10 November 2004
Priority Date: 10 November 2003
Attorney's Docket No.: 39042-0037
For: DRY RECOMBINANT HUMAN ALPHA 1-
ANTITRYPSIN FORMULATION

COMMUNICATION

On 09 May 2006, you filed in the United States Patent and Trademark Office (USPTO) papers requesting entry into the national phase of international application PCT/GB04/04740, filed 10 November 2004. The inventor is indicated as Rajiv Nayar et al. Your attorney docket number is 39042-0037. The submission has been assigned U.S. application number 10/578,692.

A different attorney has filed separate papers requesting entry into the national phase of international application PCT/GB04/04740. There can only be one U.S. national stage application for a given PCT international application. Thus, the filing of two national stage applications is improper.

Accordingly, applicant is hereby given **TWO (2) MONTHS** from the mail date of this letter to: (1) file an oath or declaration in compliance with 37 CFR 1.497(a)-(b); (2) identify which attorney has been appointed as applicant's representative; and (3) indicate a single correspondence address to which further correspondence is to be directed. Failure to submit a timely and proper response will result in the abandonment of this application. Extensions of time may be obtained under 37 CFR 1.136(a).

Please direct further correspondence with respect to this matter to the Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.

Anthony Smith

Anthony Smith
Attorney Advisor
Office of PCT Legal Administration
Tel: (571) 272-3298
Fax: (571) 273-0459

HEWM LLP - SV Office
Description: 2 MONTH ACTION
Due/Rm: 8/28/06
Final/Deac: 12/28/06
Initials: PRV 7/7/06